



**FILED**

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**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

In the Matter of Open5G Inc. for a  
Certificate of Public Convenience And  
Necessity to Provide Full Facilities-  
Based and Resold Local Exchange  
Service in AT&T California; Frontier  
Communications and Consolidated  
Communications Local Exchange Areas,  
and IntraLATA and InterLATA  
Interexchange Telephone Service  
Statewide.

Application 20-07-024

**E-MAIL RULING DIRECTING THE FILING  
OF REQUIRED VERIFICATIONS**

Dated October 13, 2020, at San Francisco, California.

/s/ JOHN LARSEN

John Larsen  
Administrative Law Judge

**From:** Larsen, John <[John.Larsen@cpuc.ca.gov](mailto:John.Larsen@cpuc.ca.gov)>  
**Sent:** Tuesday, October 13, 2020 9:08 AM  
**To:** [Kristin.Jacobson@us.DLA Piper.com](mailto:Kristin.Jacobson@us.DLA Piper.com); [Mike.Hazzard@us.DLA Piper.com](mailto:Mike.Hazzard@us.DLA Piper.com); [Mike@Farmwald.com](mailto:Mike@Farmwald.com); Larsen, John <[John.Larsen@cpuc.ca.gov](mailto:John.Larsen@cpuc.ca.gov)>; Minkus, Michael J. <[Michael.Minkus@cpuc.ca.gov](mailto:Michael.Minkus@cpuc.ca.gov)>  
**Cc:** ALJ\_Support ID <[alj\\_supportid@cpuc.ca.gov](mailto:alj_supportid@cpuc.ca.gov)>; ALJ Docket Office <[ALJ\\_Docket\\_Office@cpuc.ca.gov](mailto:ALJ_Docket_Office@cpuc.ca.gov)>; ALJ Process <[alj\\_process@cpuc.ca.gov](mailto:alj_process@cpuc.ca.gov)>  
**Subject:** ADMINISTRATIVE LAW JUDGE'S RULING DIRECTING THE FILING OF REQUIRED VERIFICATIONS IN A.20-07-024

Telephone corporations seeking a Certificate of Public Convenience and Necessity must include the verifications required by Commission Decision 13-05-035, ordering paragraph 14. If the applicant is unable to make the required verification, the applicant must attach documentation and describe any bankruptcies, findings, judgments, convictions, referrals, denials, suspensions, revocations, limitations, settlements, voluntary payments or any other type of monetary forfeitures.

Accordingly, Open5G shall verify the following in accordance with D.13-05-035 or provide additional information regarding what applicant is unable to verify by October 27, 2020:

1. Neither applicant, any of its affiliates, officers, directors, partners, agents, or owners (directly or indirectly) of more than 10% of applicant, or anyone acting in a management capacity for applicant:
  - (a) held one of these positions with a company that filed for bankruptcy;
  - (b) been personally found liable, or held one of these positions with a company that has been found liable, for fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others;
  - (c) been convicted of a felony;

- (d) been (to his/her knowledge) the subject of a criminal referral by judge or public agency;
  - (e) had a telecommunications license or operating authority denied, suspended, revoked, or limited in any jurisdiction;
  - (f) personally entered into a settlement, or held one of these positions with a company that has entered into settlement of criminal or civil claims involving violations of sections 17000 et seq., 17200 et seq., or 17500 et seq. of the California Business & Professions Code, or of any other statute, regulation, or decisional law relating to fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others; or
  - (g) been found to have violated any statute, law, or rule pertaining to public utilities or other regulated industries; or
  - (h) entered into any settlement agreements or made any voluntary payments or agreed to any other type of monetary forfeitures in resolution of any action by any regulatory body, agency, or attorney general.
2. To the best of applicant's knowledge, neither applicant, any affiliate, officer, director, partner, nor owner of more than 10% of applicant, or any person acting in such capacity whether or not formally appointed, is being or has been investigated by the Federal Communications Commission or any law enforcement or regulatory agency for failure to comply with any law, rule or order.

**IT IS SO RULED.**

THE DOCKET OFFICE SHALL FORMALLY FILE THIS RULING

**John H. Larsen**

Administrative Law Judge

California Public Utilities Commission

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